

## ECONOMIC DEVELOPMENT AUTHORITY[261]

### Notice of Intended Action

#### **Proposing rule making related to STEM BEST and targeted small business certification programs and providing an opportunity for public comment**

The Economic Development Authority hereby proposes to amend Chapter 15, “STEM BEST Appropriation,” and Chapter 52, “Iowa Targeted Small Business Certification Program,” Iowa Administrative Code.

#### *Legal Authority for Rule Making*

This rule making is proposed under the authority provided in Iowa Code section 15.106A and 2022 Iowa Acts, House Files 2564 and 803.

#### *State or Federal Law Implemented*

This rule making implements, in whole or in part, 2022 Iowa Acts, House Files 2564 and 803.

#### *Purpose and Summary*

The following corrective and clarifying amendments are proposed to rules relating to appropriations to the Authority and programs administered by the Authority:

- Clarify references in Chapter 15 to appropriations for the STEM BEST Program in 2021 Iowa Acts, House File 871, and 2022 Iowa Acts, House File 2564.
- Add a reference to physician assistants to subrule 52.2(7) regarding targeted small business certification as required by 2022 Iowa Acts, House File 803.

#### *Fiscal Impact*

This rule making has no fiscal impact to the State of Iowa.

#### *Jobs Impact*

After analysis and review of this rule making, no impact on jobs has been found.

#### *Waivers*

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Authority for a waiver of the discretionary provisions, if any, pursuant to 261—Chapter 199.

#### *Public Comment*

Any interested person may submit written or oral comments concerning this proposed rule making. Written or oral comments in response to this rule making must be received by the Authority no later than 4:30 p.m. on November 8, 2022. Comments should be directed to:

Lisa Connell  
Iowa Economic Development Authority  
1963 Bell Avenue, Suite 200  
Des Moines, Iowa 50315  
Phone: 515.348.6163  
Email: [lisa.connell@iowaeda.com](mailto:lisa.connell@iowaeda.com)

### *Public Hearing*

No public hearing is scheduled at this time. As provided in Iowa Code section 17A.4(1)“b,” an oral presentation regarding this rule making may be demanded by 25 interested persons, a governmental subdivision, the Administrative Rules Review Committee, an agency, or an association having 25 or more members.

### *Review by Administrative Rules Review Committee*

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making actions are proposed:

ITEM 1. Amend rule 261—15.1(89GA,HF871) as follows:

**261—15.1(89GA,HF871,HF2564) Purpose.** The authority is directed to adopt rules to establish criteria for the distribution of funds appropriated in ~~2021 Iowa Acts, House File 871, section 3, subsection 11,~~ to the authority for the STEM BEST program.

ITEM 2. Amend rule 261—15.2(89GA,HF871), parenthetical implementation statute, as follows:

**261—15.2(89GA,HF871,HF2564) Definitions.**

ITEM 3. Amend rule 261—15.3(89GA,HF871), parenthetical implementation statute, as follows:

**261—15.3(89GA,HF871,HF2564) Eligible uses of funds.**

ITEM 4. Amend **261—Chapter 15**, implementation sentence, as follows:

These rules are intended to implement 2021 Iowa Acts, House File 871, section 3(11), and 2022 Iowa Acts, House File 2564, section 3(12).

ITEM 5. Amend paragraph **52.2(7)“a”** as follows:

*a. Person with a disability.* In order to be considered a person with a disability for the purpose of the TSB program, the person must qualify and receive certification as having a disability from a licensed medical physician or physician assistant or must have been found eligible for vocational rehabilitation services by the department of education, division of vocational rehabilitation services, or by the department for the blind.